

USDC SDNY

DOCUMENT

ELECTRONICALLY FILED 06/30/2014

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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Devorah Crupar-Weinmann,
individually and on behalf of all others
similarly situated,

Plaintiff,

13 CIVIL 7013 (JSR)

-against-

JUDGMENT

Paris Baguette America, Inc., d/b/a
Paris Baguette,

Defendant.

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Defendant having moved to dismiss the complaint (Doc. #10) pursuant to Fed. R. Civ. P. 12(b)(6) primarily on the basis that the Complaint failed to plead sufficient facts to plausibly show that Defendant willfully violated the Fair and Accurate Credit Transactions Act (“FACTA”), and the matter having come before the Honorable Jed S. Rakoff, United States District Judge, and the Court, on June 29, 2014, having rendered its Memorandum Order (Doc. #24), the Court is dismissing Plaintiff’s claims with prejudice because any attempt by Plaintiff to replead her Complaint would be futile. The Court is convinced that Plaintiff would not be able to plausibly plead a claim for willful violation of FACTA, even if she were given the opportunity to replead. Accordingly, the Court is granting Defendant’s motion to dismiss and directing the entry of final judgment dismissing Plaintiff’s claims with prejudice, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court’s Memorandum Order dated June 29, 2014, the Court dismissed Plaintiff’s claims with prejudice because any attempt by Plaintiff to replead her Complaint would be futile. The Court is convinced that Plaintiff would not be able to plausibly plead a claim for willful violation of FACTA,

even if she were given the opportunity to replead. The Court has granted Defendant's motion to dismiss and dismissed Plaintiff's claims with prejudice; accordingly, the case is closed.

Dated: New York, New York
June 30, 2014

RUBY J. KRAJICK

Clerk of Court

BY:

K. mango

Deputy Clerk